

PATENT

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jonathan W. Nyce

: Art Unit: 1635

Serial No.: 09/093,972

: Examiner: J. Epps

Filed: June 9, 1998

: Appl. Ref. No.: EPI-072

COMPOSITION, FORMULATIONS & METHOD FOR PREVENTION &  
TREATMENT OF DISEASES AND CONDITIONS ASSOCIATED WITH  
BRONCHOCONSTRICITION, ALLERGY(IES) & INFLAMMATION

COVER LETTER

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Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir/Madam:

Enclosed for filing are the following:

1. Amendment (36 sheets)	8. Form 1449 & references
2. Petition: Extension of Time & \$55 check	9. Power of Attorney (1 sheet)
3. Fee Trans. & \$36 check for extra claims	10. Substitute Utility Application (80 sheets)
4. Assignment, Recordation form & \$40	11. Copy of USPTO Notice re: Sequences
5. Declarations (3)	12. Claim For Priority (1 sheet)
6. Sequence Listing, Declaration & Disk	13. Postcard
7. Terminal Disclaimer & \$55 check	

Respectfully submitted.

ARTER &amp; HADDEN

Viviana Amzel, Ph. D.  
Reg. No. 30930  
Attorney for Applicant(s)

May 4, 2000

Date

Citicorp Building  
725 South Figueroa Street  
Los Angeles, California 90017  
213-430-3520 Direct Ph.  
213-617-9255 Fax

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington D C 20231 on May 4, 2000, by Jenny Wilson.

Jenny Wilson  
SIGNATURE



PTO/SB/17 (12/99)

Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# Fee Transmittal for FY 2000

Patent fees are subject to annual revision.

Small Entity payments **must** be supported by a small entity statement, otherwise large entity fees must be paid. See Forms PTO/SB/09-12. See 37 C.F.R. §§ 1.27 and 1.28.

**TOTAL AMOUNT OF PAYMENT** (\$ 186.00)

## Complete if Known

Application Number	09/093,972
Filing Date	June 9, 1998
First Named Inventor	Jonathan W. Nyce
Examiner Name	Janet Epps
Group / Art Unit	1635
Attorney Docket No.	EPI-072

## METHOD OF PAYMENT (check one)

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 01-2520

Deposit Account Name Arter & Hadden, LLP

Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

2.  Payment Enclosed:

Check  Money Order  Other

## Fee Calculation

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 690	201 345	Utility filing fee	
106 310	206 155	Design filing fee	
107 480	207 240	Plant filing fee	
108 690	208 345	Reissue filing fee	
114 150	214 75	Provisional filing fee	

**SUBTOTAL (1) (\$)**

### 2. EXTRA CLAIM FEES

Extra Claims	Fee from below	Fee Paid
Total Claims 218	-20** = 4	X 9 = \$36.00
Independent Claims	- 3** =	X =
Multiple Dependent		=

\*\* or number previously paid, if greater; For Reissues, see below

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 78	202 39	Independent claims in excess of 3
104 260	204 130	Multiple dependent claim, if not paid
109 78	209 39	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

\*\*\*11 new

claims - 107 old

claims = 4 extra

**SUBTOTAL (2) (\$)**

36.00

## Fee Calculation (continued)

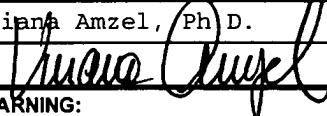
### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	55.00
116 380	216 190	Extension for reply within second month	
117 870	217 435	Extension for reply within third month	
118 1,360	218 680	Extension for reply within fourth month	
128 1,850	228 925	Extension for reply within fifth month	
119 300	219 150	Notice of Appeal	
120 300	220 150	Filing a brief in support of an appeal	
121 260	221 130	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,210	241 605	Petition to revive - unintentional	
142 1,210	242 605	Utility issue fee (or reissue)	
143 430	243 215	Design issue fee	
144 580	244 290	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	40.00
146 690	246 345	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 690	249 345	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify) Terminal Disclaimer Fee			55.00
Other fee (specify) _____			

\* Reduced by Basic Filing Fee Paid **SUBTOTAL (3) (\$)**

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Viviana Amzel, Ph.D.	Registration No. (Attorney/Agent)	30,930	Telephone	(213) 430-3520
Signature				Date	May 4, 2000

## WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

7399995804

In re Application of: Jonathan W. Nyce / EpiGenesis Pharmaceuticals, Inc.

For: COMPOSITION, FORMULATIONS' & METHOD FOR PREVENTION & TREATMENT OF DISEASES AND CONDITIONS ASSOCIATED WITH...

Serial No.: 09/093,972

Filed: June 9, 1998

EPI-072

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7. Terminal Disclaimer & \$55 check	

The U.S. Patent and Trademark Office Mail Room stamp hereon acknowledges receipt of the items indicated above on the date shown.

Mailed: May 4, 2000 by Viviana Amzel, Ph.D.

EPI-072

Amendment 5/4/00  
USSN 09/093,972  
Applicant: Jonathan Nyce, EpiGenesis  
Appl. Atty: Viviana Amzel, Ph.D. (213) 430-352

19359

**ARTER & HADDEN LLP**  
DOCKET ACCOUNT  
725 S. FIGUEROA ST., NO. 3400 213-430-3000  
LOS ANGELES, CA 90017

**UNION BANK OF CALIFORNIA**  
LOS ANGELES MAIN #113  
445 S. FIGUEROA ST., LOS ANGELES, CA 90071  
800 238 4486

16-49/113  
1220

DATE 05/04/00

PAY Thirty-six and xx/00

DOLLARS \$ 36.00

TO Assistant Commissioner of Patents  
THE  
ORDER  
OF



19359 122000496 0320044863

ARTER & HADDEN LLP

DETACH AND RETAIN THIS STATEMENT  
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.  
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

DELUXE FORM WVC-4 V-2

DATE	DESCRIPTION	AMOUNT
05/04/00	Extra Claims 73999/95804	\$36.00